

Ex. B

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**IN RE: JOHNSON & JOHNSON
TALCUM POWDER PRODUCTS
MARKETING, SALES PRACTICES,
AND PRODUCTS LIABILITY
LITIGATION**

MDL No. 16-2738 (FLW) (LHG)

This Document Applies to All Actions Filed
Against Defendant Personal Care Products
Council

STIPULATION AND ORDER OF DISMISSAL

WHEREAS, on February 22, 2018, this Court entered Case Management Order No. 10 [Dkt. No. 4767] (“CMO 10”);

WHEREAS, CMO 10 held, in relevant part: “Following the expiration of the 60-day period specified in paragraph 2, each and every civil action (other than those amended through the process described above) that has been either designated in Paragraph 10 of the Short Form Complaint for remand to a U.S. District Court other than the U.S. District Court for the District of New Jersey or the U.S. District Court for the District of Columbia and/or transferred to this Court for coordinated or consolidated pretrial proceedings from a U.S. District Court other than the U.S. District Court for the District of New Jersey or the U.S. District Court for the District of Columbia is hereby DISMISSED as to Defendant PCPC only;”

WHEREAS, the 60-day period specified in paragraph 2 of CMO 10 expired on April 24, 2018;

WHEREAS, pursuant to CMO 10, all of the cases that were filed prior to the entry of CMO 10 that named Defendant PCPC, but were not set for remand in either the U.S. District Court for the District of New Jersey or the U.S. District Court for the District of Columbia and were not

transferred to this Court from the U.S. District Court for the District of New Jersey or the U.S. District Court for the District of Columbia, and were not amended or refiled within the 60-day period, have now been dismissed without prejudice (collectively, the “Pre-CMO 10 Cases”);

WHEREAS, after the entry of CMO 10, Plaintiffs filed hundreds of additional lawsuits against Defendant PCPC that are not set for remand in either the U.S. District Court for the District of New Jersey or the U.S. District Court for the District of Columbia and were not transferred to this Court from the U.S. District Court for the District of New Jersey or the U.S. District Court for the District of Columbia, have now been dismissed (collectively, the “Post-CMO 10 Cases”); and

WHEREAS, attached hereto as Exhibit A is a list of all currently pending Post-CMO Cases.

For all of the reasons set forth in CMO 10, **IT IS HEREBY ORDERED** that each of the Post-CMO Cases identified in Exhibit A are **DISMISSED**, without prejudice, as to Defendant PCPC only. And it is

FURTHER ORDERED that in the event a dismissal is inadvertently entered in a case not subject to dismissal for the reasons stated above, this will constitute grounds for the effected plaintiff to reinstate his or her action against PCPC, and the statute of limitations in such a case would be tolled from the date of the entry of dismissal until the date of reinstatement.

This ____ day of ____, 2018

UNITED STATES DISTRICT JUDGE